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**YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT**  
**1947 Galileo Court, Suite 103; Davis, CA 95618**  
**(530) 757-3650**

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**TITLE V OPERATING PERMIT**  
**PROPOSED RENEWAL**

**PERMIT NUMBER: F-00536-3**

**ISSUED TO:**  
MM Yolo Power, LLC  
5087 Junction Road  
Lockport, NY 14094

**PLANT SITE LOCATION:**  
44090 County Road 28H  
Woodland, CA 95776

**ISSUED BY:**

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Mat Ehrhardt, P.E., Air Pollution Control Officer

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Date

PROPOSED April 8, 2010

EFFECTIVE PROPOSED

EXPIRATION May 28, 2012

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Nature of Business: Landfill gas to electrical power production facility

SIC Code: 4911

**Responsible Official:**

Name: Anthony Falbo  
Title: Vice President & General  
Manager  
Phone: (716) 439-1004

**Site Contact Person:**

Name: Suparna Chakladar  
Title: Technical Director of  
Environmental Services  
Phone: (951) 833-4153

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**I. FACILITY EMISSION UNITS AND EQUIPMENT LISTS:**

**A. Insignificant Emissions Units**

Insignificant emissions units or exempted equipment may be supplemented, replaced or modified with non-identical equipment without notice provided exemption status has not changed as defined in current district or federal rules. The equipment listed in Table 1 is a listing of equipment currently identified as exempt or insignificant and not required to obtain an operating permit pursuant to Rule 3.2 of the Yolo-Solano Air Quality Management District (District).

**Table 1 - Exempted and Insignificant Emissions Units**

Exempt Equipment Description	Basis for Exemption
Janitorial Services (Non-solvent) Cleaning Supplies	District Rule 2.31, Section 117 (SIP Approved Version 04/27/1994)
Transport Vehicles	District Rule 3.2, Section 101
Air Conditioning System	District Rule 3.2, Section 103
Internal Combustion (IC) Engine Repair and Maintenance	District Rule 3.2, Section 108
Compressed Oxygen Gas Tank	District Rule 3.2, Section 109.1
Compressed Acetylene Gas Tank	District Rule 3.2, Section 109.1
800 Gallon New Oil Storage Tank	District Rule 3.2, Section 109.2
800 Gallon Used Oil Storage Tank	District Rule 3.2, Section 109.2
IC Engine Cooling Tower	District Rule 3.2, Section 112
Steam Cleaner	District Rule 3.2, Section 113
Miscellaneous Welding Equipment	District Rule 3.2, Section 113

**B. Significant Emissions Unit Information**

Each of the following emission units has been constructed pursuant to the requirements of an approved Authority to Construct (ATC) that has been issued in accordance with District Rule 3.1 (General Permit Requirements) and District Rule 3.4 (New Source Review).

**Identification Number: P-78-98(a2)**

Equipment Description: 805 BHP landfill gas fired Caterpillar IC engine, Model No. G-399, Serial No. 49C01390; Engine No. 1A

Control Equipment: Automatic air/fuel ratio controller, aftercooler, and turbocharger

**Identification Number: P-79-98(a1)**

Equipment Description: 805 BHP landfill gas fired Caterpillar IC engine, Model No. G-399, Serial No. 49C728; Engine No. 2

Control Equipment: Automatic air/fuel ratio controller, aftercooler, and turbocharger

**Identification Number: P-80-98**

Equipment Description: 805 BHP landfill gas fired Caterpillar IC engine, Model No. G-399; Engine No. 3

Control Equipment: Low pressure fuel delivery system, and turbocharger with electronic controls

**Identification Number: P-81-98(a1)**

Equipment Description: 1306 BHP landfill gas fired Caterpillar IC engine, Model No. G-3516 SITA, Serial No. 4EK01652; Engine No. 4A

Control Equipment: Automatic air/fuel ratio controller, aftercooler, and turbocharger

**Identification Number: P-87-98(a1)**

Equipment Description: 1306 BHP landfill gas fired Caterpillar IC engine, Model No. G-3516 SITA, Serial No. 4EK01693; Engine No. 5A

Control Equipment: Automatic air/fuel ratio controller, aftercooler,  
and turbocharger

## II. SPECIFIC UNIT REQUIREMENTS

### A. Emission Limits

A. 1 The emissions for each stationary IC engine shall not exceed the limits contained in Table 2:

**Table 2 - Permitted Emission Limits**

Permit	Pollutant	Daily [lb]	Qtr #1 (Jan 1- Mar 31) [lb]	Qtr #2 (Apr 1- June 30) [lb]	Qtr #3 (July 1- Sept 30) [lb]	Qtr #4 (Oct 1- Dec 31) [lb]	Yearly [tons]
P-78-98(a2) (C-07-35) Engine 1A	VOC	22.5	2,028	2,050	2,073	2,073	4.11
	CO	110.7	9,959	10,070	10,180	10,180	20.19
	NO <sub>x</sub>	45.3	4,075	4,120	4,165	4,165	8.26
	SO <sub>x</sub>	21.3	1,915	1,936	1,958	1,958	3.88
	PM <sub>10</sub>	20.0	1,800	1,820	1,840	1,840	3.65
P-79-98(a1) (C-07-36) Engine 2	VOC	22.5	2,028	2,050	2,073	2,073	4.11
	CO	110.7	9,959	10,070	10,180	10,180	20.19
	NO <sub>x</sub>	45.3	4,075	4,120	4,165	4,165	8.26
	SO <sub>x</sub>	21.3	1,915	1,936	1,958	1,958	3.88
	PM <sub>10</sub>	20.0	1,800	1,820	1,840	1,840	3.65
P-80-98 (C-98-122) Engine 3	VOC	23.4	2,108	2,132	2,155	2,155	4.28
	CO	110.7	9,967	10,077	10,188	10,188	20.21
	NO <sub>x</sub>	51.1	4,600	4,651	4,702	4,702	9.33
	SO <sub>x</sub>	8.5	767	775	784	784	1.55
	PM <sub>10</sub>	2.6	230	233	235	235	0.47
P-81-98(a1) (C-07-38) Engine 4A	VOC	23.1	2,081	2,104	2,127	2,127	4.22
	CO	207.6	18,687	18,895	19,103	19,103	37.89
	NO <sub>x</sub>	50.8	4,574	4,625	4,676	4,676	9.28
	SO <sub>x</sub>	27.8	2,505	2,533	2,561	2,561	5.08
	PM <sub>10</sub>	20.0	1,804	1,824	1,844	1,844	3.66
P-87-98(a1) (C-07-39) Engine 5A	VOC	23.1	2,081	2,104	2,127	2,127	4.22
	CO	207.6	18,687	18,895	19,103	19,103	37.89
	NO <sub>x</sub>	42.0	3,783	3,825	3,867	3,867	7.67
	SO <sub>x</sub>	27.8	2,505	2,533	2,561	2,561	5.08
	PM <sub>10</sub>	20.0	1,804	1,824	1,844	1,844	3.66

[District Rule 3.4/C-07-35, C-07-36, C-98-122, C-07-38, and C-07-39]

**Emission limits for the IC engines of P-78-98(a2) and P-79-98(a1)**

- A. 2 The emission concentrations for the IC engines shall not exceed the following:
- a. VOC (measured as methane): 93.0 ppmv @ 15% O<sub>2</sub>;
  - b. CO: 261.0 ppmv @ 15% O<sub>2</sub>; and
  - c. NO<sub>x</sub> (as NO<sub>2</sub>): 65.0 ppmv @ 15% O<sub>2</sub>. [District Rule 3.4/C-07-35 and C-07-36]
  - d.

**Emission limits for the IC engine of P-80-98**

- A. 3 The emission concentrations for the IC engine shall not exceed the following:
- a. CO: 2,000 ppmv @ 15% O<sub>2</sub>; and
  - b. NO<sub>x</sub> (as NO<sub>2</sub>): 65 ppmv @ 15% O<sub>2</sub>. [District Rule 3.4/C-98-122]

**Emission limits for the IC engine of P-81-98(a1)**

- A. 4 The emission concentrations for the IC engines shall not exceed the following:
- a. VOC (measured as methane): 68.0 ppmv @ 15% O<sub>2</sub>;
  - b. CO: 349.0 ppmv @ 15% O<sub>2</sub>; and
  - c. NO<sub>x</sub> (as NO<sub>2</sub>): 52.0 ppmv @ 15% O<sub>2</sub>. [District Rule 3.4/C-07-38]

**Emission limits for the IC engine of P-87-98(a1)**

- A. 5 The emission concentrations for the IC engine shall not exceed the following:
- a. VOC (measured as methane): 68.0 ppmv @ 15% O<sub>2</sub>;
  - b. CO: 349.0 ppmv @ 15% O<sub>2</sub>; and
  - c. NO<sub>x</sub> (as NO<sub>2</sub>): 43.0 ppmv @ 15% O<sub>2</sub>. [District Rule 3.4/C-07-39]

**Emission limit concentrations for the IC engines of P-78-98(a2), P-79-98(a1), P-81-98(a1), and P-87-98(a1)**

- A. 6 The hydrogen sulfide (H<sub>2</sub>S) content of the landfill gas shall not exceed 250.0 ppmv. [District Rule 3.4/C-07-35, C-07-36, C-07-38, and C-07-39]

**B. Work Practice and Operational Requirements**

**Process limits for the IC engines of P-78-98(a2) and P-79-98(a1)**

- B. 1 The maximum landfill gas consumption for any single IC engine shall not exceed 512,000 cubic feet/day, 46.080 million cubic feet/1<sup>st</sup> calendar quarter, 46.592 million cubic feet/2<sup>nd</sup> calendar quarter, 47.104 million cubic feet/3<sup>rd</sup> calendar quarter, 47.104 million cubic feet/4<sup>th</sup> calendar quarter, and 186.880 million cubic feet/year. [District Rule 3.4/C-07-35 and C-07-36]

**Process limits for the IC engine of P-80-98**

- B. 2 The maximum landfill gas consumption for the single IC engine shall not exceed 230 million British Thermal Units (BTU)/day, 20,736 million BTU/1<sup>st</sup> calendar quarter, 20,966 million BTU/2<sup>nd</sup> calendar quarter, 21,197 million BTU/3<sup>rd</sup> calendar quarter, 21,197 million BTU/4<sup>th</sup> calendar quarter, and 84,096 million BTU/year. [District Rule 3.4/C-98-122]
- B. 3 Landfill gas usage for all five engines shall be limited to the following:
- a. 1,094 million BTU/day;
  - b. 98,496 million BTU/1<sup>st</sup> calendar quarter;
  - c. 99,590 million BTU/2<sup>nd</sup> calendar quarter;
  - d. 100,684 million BTU/3<sup>rd</sup> calendar quarter;
  - e. 100,684 million BTU/4<sup>th</sup> calendar quarter; and
  - f. 399,456 million BTU/year. [District Rule 3.4/C-98-122]

**Process limits for the IC engines of P-81-98(a1) and P-87-98(a1)**

- B. 4 The maximum landfill gas consumption for any single IC engine shall not exceed 669,856 cubic feet/day, 60.287 million cubic feet/1<sup>st</sup> calendar quarter, 60.957 million cubic feet/2<sup>nd</sup> calendar quarter, 61.627 million cubic feet/3<sup>rd</sup> calendar quarter, 61.627 million cubic feet/4<sup>th</sup> calendar quarter, and 244.497 million cubic feet/year. [District Rule 3.4/C-07-38 and C-07-39]

**Operational requirements for the IC engines of P-78-98(a2), P-79-98(a1), P-81-98(a1), and P-87-98(a1)**

- B. 5 A non-resettable, totalizing gaseous fuel flow meter shall be installed and utilized to measure the quantity (in cubic feet) of landfill gas combusted in each IC engine. The meter shall be accurate to plus or minus five percent and shall be calibrated at least once every 12 months. [District Rule 3.4/C-07-35, C-07-36, C-07-38, and C-07-39]
- B. 6 The Permit Holder shall install and maintain such facilities as are necessary for sampling and testing purposes. The number, size, and location of sampling ports shall be in accordance with Air Resources Board Test Method 1. The location and access to the sampling platform shall be in accordance with the General Industry Safety Orders of the State of California. [District Rule 3.4/C-07-35, C-07-36, C-07-38, and C-07-39]

**Operational requirements for the IC engine of P-80-98**

- B. 7 An owner or operator of an engine subject to District Rule 2.32 (Stationary IC Engines) shall install a non-resettable totalizing fuel meter and/or a non-resettable hour meter that measures elapsed operating time, as determined appropriate by the APCO. [District Rule 2.32, §304.1]
- B. 8 Only landfill gas shall be burned in the engine(s). [District Rule 3.4/C-98-122]

**Operational requirements for the IC engines of P-81-98(a1) and P-87-98(a1)**

- B. 9 The Permit Holder shall operate the IC engines of P-81-98(a1) and P-87-98(a1) in accordance with the approved Parametric Emission Monitoring Plan. [District Rule 3.4/ C-07-38 and C-07-39]



**C. Monitoring and Testing Requirements**

**Requirements for the IC engines of P-78-98(a2), P-79-98(a1), P-81-98(a1), and P-87-98(a1)**

- C. 1 The Permit Holder shall analyze the fuel's higher heating value (wet basis) and sulfur content (as H<sub>2</sub>S) at least once every 12 consecutive month period. [District Rule 3.4/C-07-35, C-07-36, C-07-38, and C-07-39]
- C. 2 The Permit Holder shall perform a source test on each IC engine at least once every 12 months to demonstrate compliance with the VOC, CO, and NO<sub>x</sub> emission limits. [District Rule 3.4/C-07-35, C-07-36, C-07-38, and C-07-39]
- C. 3 Source testing shall be conducted using the following test methods:
  - a. VOC - EPA Method 18;
  - b. CO - EPA Method 10 or CARB Method 100;
  - c. NO<sub>x</sub> (as NO<sub>2</sub>) - EPA Method 7E or CARB Method 100; and
  - d. Stack gas oxygen - EPA Method 3A or CARB Method 100.[District Rule 3.4/C-07-35, C-07-36, C-07-38, and C-07-39]
- C. 4 The District must be notified prior to any emissions testing (not including the quarterly emission monitoring) event and a protocol must be submitted for approval 30 days prior to testing. The results of an emissions testing event shall be submitted to the District within 60 days of the test date. The protocol and report shall be mailed to the attention of the Supervising Air Quality Engineer. [District Rule 3.4/C-07-35, C-07-36, C-07-38, and C-07-39]

**Requirements for the IC engine of P-80-98**

- C. 5 The Permit Holder shall conduct annual compliance source tests of the permitted equipment to verify equipment emissions. A source test protocol shall be provided to the District for review at least 14 days prior to the scheduled testing date. Source testing shall utilize District Rule 2.32 methods or other District approved methods. The Permit Holder shall provide the District with a 72-hour notice so that District staff can be present to witness the compliance source test. Testing shall be conducted to verify VOC,

CO, and NO<sub>x</sub> emission rates, as well as, VOC destruction efficiency. [District Rule 3.4/C-98-122]

- C. 6 Source test results shall be submitted to the District within 30 days of the test date. [District Rule 3.4/C-98-122]

**D. Recordkeeping Requirements**

**Requirements for the IC engines of P-78-98(a2), P-79-98(a1), P-81-98(a1), and P-87-98(a1)**

- D. 1 The Permit Holder shall monitor and record the cumulative quarterly and annual landfill gas fuel usage (in cubic feet) from each totalizing meter. The records shall be updated quarterly and made available to the District upon request. [District Rule 3.4/C-07-35, C-07-36, C-07-38, and C-07-39]

**Requirements for the IC engine of P-80-98**

- D. 2 The Permit Holder shall submit to the District annually a report specifying the actual annual operating hours. The report shall identify each engine by permit number. The report shall include a summary of maintenance and testing activities. [District Rule 2.32, §402/C-98-122]

- D. 3 The Permit Holder shall maintain an inspection log containing at a minimum, the following data:

- a. Identification and location of the engine;
- b. Date and results of each emission inspection;
- c. A summary of any corrective emissions maintenance actions taken to ensure compliance with the emissions limits; and
- d. Any additional information required in the Engine Operator Inspection Plan.

The Permit Holder shall maintain the inspection log for a period of five (5) years after the date of each entry. The log shall be available for inspection by the APCO upon request. [District Rule 2.32, §501/C-98-122]

- D. 4 The Permit Holder shall record gas consumption for all five engines on a daily, quarterly and yearly basis. Annually updated records shall also be kept of the higher heating value (BTU content) of fuel.

Records shall be kept for five (5) years and available to the District upon request. [District Rule 3.4/C-98-122]

### **III. FACILITY WIDE REQUIREMENTS**

#### **A. Opacity**

- A. 1 The Permit Holder shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant for a period or periods aggregating more than three (3) minutes in any one (1) hour which is:
- a. As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart as published by the United States Bureau of Mines; or
  - b. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection a. of this condition. [District Rule 2.3]

#### **B. Nuisance**

- B. 1 The Permit Holder shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health, or safety of any such persons or the public or which cause to have a natural tendency to cause injury or damage to business or property. [This permit condition is federally enforceable because it derives from District Rule 2.5 - Nuisance that is currently part of the California State Implementation Plan (SIP). The District is taking steps to remove Rule 2.5 from the SIP. Once the U.S. EPA has taken final action to remove District Rule 2.5 from the SIP, this permit condition will become state-enforceable only]

#### **C. Circumvention**

- C. 1 The Permit Holder shall not build, erect, install or use any article, machine, equipment, or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of Division 26, Part

3 and Part 4 of the Health and Safety Code of the State of California or District Rules or Regulations. [District Rule 2.17]

**D. General Permit Requirements**

- D. 1 No person shall build, erect, alter, or replace any facility, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants, or the use of which may eliminate or reduce or control the issuance of air contaminants, without first obtaining an authorization to construct from the APCO as specified in Section 401 of District Rule 3.1. [District Rule 3.1, §301.1]
- D. 2 No person shall operate any facility, article, machine, equipment, or other contrivance, for which an authorization to construct is required by District Rules and Regulations without first obtaining a written permit from the APCO. [District Rule 3.1, §302.1]
- D. 3 No person shall operate any facility, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, without obtaining a permit from the APCO or the Hearing Board. [District Rule 3.1, §302.2]
- D. 4 The PTOs shall not be transferable, by operation of law or otherwise, from one location to another or from one piece of equipment to another. It shall be the transferee's responsibility to inform the District on assumption of ownership or operating control of any item under a permit from the District and for which a PTO will be required. For any such transfer as herein above described, said transferee shall submit an application for authorization in accordance with applicable District Rules. [District Rule 3.1, §304]
- D. 5 Commencing work or operation under the PTOs shall be deemed acceptance of all of the conditions so specified. [District Rule 3.1, §402]
- D. 6 The Permit Holder shall submit an annual throughput/production report at the end of each calendar year for each emissions unit. This report is due no later than March 31 for the previous year.

This report must include actual operating hours and actual amounts of materials processed (for materials that have process limits listed on the PTOs). Each type of material and each type of process must be listed separately. [District Rule 3.1, §405.1]

- D. 7 The owner or operator of any facility, article, machine, equipment, or other contrivance for which a permit to operate is in effect shall notify the District office whenever a breakdown, malfunction, or operational upset condition exists which would tend to increase emissions of air pollutants or whenever any operating condition contrary to any provision of the permit to operate exists. Such notice shall be given to the District no later than four (4) hours after occurrence during regular workday hours or no later than two (2) hours of the District workday following an occurrence not during regular District workday hours. The notice shall provide the District information as to causes and corrective action being taken, with a schedule for return to required operating conditions. [District Rule 3.1, §405.3]

#### **IV. TITLE V GENERAL REQUIREMENTS**

##### **A. Right of Entry**

- A. 1 The Permit Holder shall allow the entry of the District, ARB, or U.S. EPA officials for the purpose of inspection and sampling, including:
- a. Inspection of the stationary source, including equipment, work practices, operations, and emissions-related activity;
  - b. Inspection and duplication of records required by the permit to operate; and
  - c. Source sampling or other monitoring activities. [District Rule 3.8, §302.10]

##### **B. Compliance with Permit Conditions**

- B. 1 The Permit Holder shall comply with all Title V permit conditions. [District Rule 3.8, §302.11(a)]
- B. 2 The permit does not convey property rights or exclusive privilege of any sort. [District Rule 3.8, §302.11(b)]

- B. 3 Non-compliance with any permit condition is grounds for permit termination, revocation and reissuance, modification, enforcement action, or denial of permit renewal. [District Rule 3.8, §302.11(c)]
- B. 4 The Permit Holder shall not use the "need to halt or reduce a permitted activity in order to maintain compliance" as a defense for non-compliance with any permit condition. [District Rule 3.8, §302.11(d)]
- B. 5 A pending permit action or notification of anticipated non-compliance does not stay any permit condition. [District Rule 3.8, §302.11(e)]
- B. 6 Within a reasonable time period, the Permit Holder shall furnish any information requested by the APCO, in writing, for the purpose of determining:
  - a. Compliance with the permit; or
  - b. Whether or not cause exists for a permit or enforcement action. [District Rule 3.8, §302.11(f)]

**C. Emergency Provisions**

- C. 1 Within two (2) weeks of an emergency event, the owner or operator shall submit to the District a properly signed contemporaneous log or other relevant evidence demonstrating that:
  - a. An emergency occurred;
  - b. The Permit Holder can identify the cause(s) of the emergency;
  - c. The facility was being properly operated at the time of the emergency;
  - d. All steps were taken to minimize the emissions resulting from the emergency; and
  - e. Within two (2) working days of the emergency event, the Permit Holder provided the District with a description of the emergency and any mitigating or corrective actions taken; andIn any enforcement proceeding, the Permit Holder has the burden of proof for establishing that an emergency occurred. [District Rule 3.8, §302.12]

**D. Severability**

- D. 1 If any provision, clause, sentence, paragraph, section or part of these conditions for any reason is judged to be unconstitutional or invalid, such judgement shall not affect or invalidate the remainder of these conditions. [District Rule 3.8, §302.13]

**E. Compliance Certification**

- E. 1 The responsible official shall submit a compliance certification to the U.S. EPA and the APCO every 12 months unless required more frequently by an applicable requirement. [District Rule 3.8, §302.14(a)]
- E. 2 The compliance certification shall identify the basis for each permit term or condition (e.g., specify the emissions limitation, standard, or work practice) and a means of monitoring compliance with the term or condition consistent with Sections 302.5, 302.6, and 302.7 of Rule 3.8. [District Rule 3.8, §302.14(b)]
- E. 3 The compliance certification shall include a statement of the compliance status, whether compliance was continuous or intermittent, and method(s) used to determine compliance for the current time period and over the entire reporting period. [District Rule 3.8, §302.14(c)]
- E. 4 The compliance certification shall include any additional inspection, monitoring, or entry requirement that may be promulgated pursuant to Sections 114(a) and 504(b) of the Federal Clean Air Act. [District Rule 3.8, §302.14(d)]

**F. Permit Life**

- F. 1 The Title V permit shall expire five (5) years from the date of issuance. Title V permit expiration terminates the stationary source's right to operate unless a timely and complete Title V permit application for renewal has been submitted. [District Rule 3.8, §302.15]

**G. Payment of Fees**

- G. 1 An owner or operator shall pay the appropriate Title V permit fees on schedule. If fees are not paid on schedule, the permit is forfeited. Operation without a permit subjects the source to potential enforcement action by the District and the U.S. EPA pursuant to Section 502(a) of the CAA. [District Rule 3.8, §302.16]

**H. Permit Revision Exemption**

- H. 1 No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. [District Rule 3.8, §302.22]

**I. Application Requirements**

- I. 1 An owner or operator shall submit a standard District application for renewal of the Title V permit, no earlier than 18 months and no later than six (6) months before the expiration date of the current permit to operate. [District Rule 3.8, §402.2]
- I. 2 An owner or operator shall submit a standard District application for each emissions unit affected by a proposed permit revision that qualifies as a significant Title V permit modification. The application shall be submitted after obtaining any required preconstruction permits. Upon request by the APCO, the owner or operator shall submit copies of the latest preconstruction permit for each affected emissions unit. The emissions unit(s) shall not commence operation until the APCO approves the permit revision. [District Rule 3.8, §402.3]
- I. 3 An owner or operator shall submit a standard District application for each emissions unit affected by the proposed permit revision that qualifies as a minor permit modification. The application shall be submitted after obtaining any required preconstruction permits. The emissions unit(s) shall not commence operation until the APCO approves the permit revision. In the application, the owner or operator shall include the following:



- a. A description of the proposed permit revision, any change in emissions, and additional applicable federal requirements that will apply;
- b. Proposed permit terms and conditions; and
- c. A certification by a responsible official that the permit revision meets criteria for use of minor permit modification procedures and a request that such procedures be used. [District Rule 3.8, §402.4]

**J. Permit Reopening for Cause**

- J. 1 Circumstances that are cause for reopening and revision of a permit include, but are not limited to, the following:
  - a. The need to correct a material mistake or inaccurate statement;
  - b. The need to revise or revoke a permit to operate to assure compliance with applicable federal requirements;
  - c. The need to incorporate any new, revised, or additional applicable federal requirements, if the remaining authorized life of the permit is 3 years or greater, no later than 18 months after the promulgation of such requirement (where less than 3 years remain in the authorized life of the permit, the APCO shall incorporate the requirements into the permit to operate upon renewal); or
  - d. Additional requirements promulgated pursuant to Title IV as they become applicable to any acid rain unit governed by the permit. [District Rule 3.8, §413.1]

**K. Recordkeeping**

- K. 1 The Permit Holder shall record maintenance of all monitoring and support information required by any applicable federal requirement, including:
  - a. Date, place, and time of sampling;
  - b. Operating conditions at the time of sampling;
  - c. Date, place, and method of analysis; and
  - d. Results of the analysis. [District Rule 3.8, §302.6(a)]
- K. 2 The Permit Holder shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of sample collection, measurement, report, or

application. [District Rule 3.8, §302.6(b)/C-07-35, C-07-36, C-07-38, and C-07-39]

**L. Reporting Requirements**

- L. 1 Any deviation from permit requirements, including that attributable to upset conditions (as defined in the permit), shall be promptly reported to the APCO. For the purpose of this condition prompt means as soon as reasonably possible, but no later than 10 days after detection. [District Rule 3.8, §302.7(a)]
- L. 2 A monitoring report shall be submitted at least every six (6) months and shall identify any deviation from permit requirements, including that previously reported to the APCO pursuant to Section 302.7. a of Rule 3.8. [District Rule 3.8, §302.7(b)]
- L. 3 All reports of deviation from permit requirements shall include the probable cause of the deviation and any preventive or corrective action taken. [District Rule 3.8, §302.7(c)]
- L. 4 Each monitoring report shall be accompanied by a written statement from the responsible official that certifies the truth, accuracy, and completeness of the report. [District Rule 3.8, §302.7(e)]